

1 AN ACT concerning State finance.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by changing
5 Sections 8h, as added by Public Act 93-32, and 8j as follows:

6 (30 ILCS 105/8h)

7 Sec. 8h. Transfers to General Revenue Fund.
8 Notwithstanding any other State law to the contrary, the
9 Director of the Governor's Office of Management and Budget
10 ~~Bureau--of--the-Budget~~ may from time to time direct the State
11 Treasurer and Comptroller to transfer a specified sum from
12 any fund held by the State Treasurer to the General Revenue
13 Fund in order to help defray the State's operating costs for
14 the fiscal year. The total transfer under this Section from
15 any fund in any fiscal year shall not exceed the lesser of 8%
16 of the revenues to be deposited into the fund during that
17 year or 25% of the beginning balance in the fund. No
18 transfer may be made from a fund under this Section that
19 would have the effect of reducing the available balance in
20 the fund to an amount less than the amount remaining
21 unexpended and unreserved from the total appropriation from
22 that fund for that fiscal year. This Section does not apply
23 to any funds that are restricted by federal law to a specific
24 use or to any funds in the Motor Fuel Tax Fund.
25 Notwithstanding any other provision of this Section, the
26 total transfer under this Section from the Road Fund or the
27 State Construction Account Fund shall not exceed 5% of the
28 revenues to be deposited into the fund during that year.

29 In determining the available balance in a fund, the
30 Director of the Governor's Office of Management and Budget
31 ~~Bureau-of-the-Budget~~ may include receipts, transfers into the

1 fund, and other resources anticipated to be available in the
2 fund in that fiscal year.

3 The State Treasurer and Comptroller shall transfer the
4 amounts designated under this Section as soon as may be
5 practicable after receiving the direction to transfer from
6 the Director of the Governor's Office of Management and
7 Budget Bureau-of-the-Budget.

8 If the Director of the Governor's Office of Management
9 and Budget directs the State Treasurer and the Comptroller to
10 transfer moneys into the General Revenue Fund under this
11 Section, he or she shall notify the Illinois Economic and
12 Fiscal Commission of the direction to transfer the moneys and
13 the amount directed to be transferred.

14 (Source: P.A. 93-32, eff. 6-20-03; revised 8-21-03.)

15 (30 ILCS 105/8j)

16 Sec. 8j. Allocation and transfer of fee receipts to
17 General Revenue Fund. ~~If--and-only-if-any-one-or-more-of~~
18 ~~Senate-Bills-774, 841, 842, and 1903--of--the--93rd--General~~
19 ~~Assembly--become--law,~~ Notwithstanding any other law to the
20 contrary, additional amounts generated by the new and
21 increased fees created or authorized by Public Acts 93-22,
22 93-23, 93-24, and 93-32 ~~these-amendatory--Acts--of--the--93rd~~
23 ~~General--Assembly~~ this--amendatory--Act--of--the--93rd--General
24 Assembly--and--by--Senate-Bill-774, Senate-Bill-841, and--Senate
25 Bill--842--of--the--93rd--General--Assembly, ~~if-these-bills-become~~
26 ~~law,~~ shall be allocated between the fund otherwise entitled
27 to receive the fee and the General Revenue Fund by the
28 Governor's Office of Management and Budget Bureau--of--the
29 Budget. In determining the amount of the allocation to the
30 General Revenue Fund, the Director of the Governor's Office
31 of Management and Budget Bureau-of-the-Budget shall calculate
32 whether the available resources in the fund are sufficient to
33 satisfy the unexpended and unreserved appropriations from the

1 fund for the fiscal year.

2 In calculating the available resources in a fund, the
3 Director of the Governor's Office of Management and Budget
4 ~~Bureau-of-the-Budget~~ may include receipts, transfers into the
5 fund, and other resources anticipated to be available in the
6 fund in that fiscal year.

7 Upon determining the amount of an allocation to the
8 General Revenue Fund under this Section, the Director of the
9 Governor's Office of Management and Budget ~~Bureau--of--the~~
10 ~~Budget~~ may direct the State Treasurer and Comptroller to
11 transfer the amount of that allocation from the fund in which
12 the fee amounts have been deposited to the General Revenue
13 Fund; provided, however, that the Director shall not direct
14 the transfer of any amount that would have the effect of
15 reducing the available resources in the fund to an amount
16 less than the amount remaining unexpended and unreserved from
17 the total appropriation from that fund for that fiscal year.

18 The State Treasurer and Comptroller shall transfer the
19 amounts designated under this Section as soon as may be
20 practicable after receiving the direction to transfer from
21 the Director of the Governor's Office of Management and
22 Budget ~~Bureau-of-the-Budget~~.

23 If the Director of the Governor's Office of Management
24 and Budget directs the State Treasurer and the Comptroller to
25 transfer moneys into the General Revenue Fund under this
26 Section, he or she shall notify the Illinois Economic and
27 Fiscal Commission of the direction to transfer the moneys and
28 the amount directed to be transferred.

29 (Source: P.A. 93-25, eff. 6-20-03; 93-32, eff. 6-20-03;
30 revised 8-21-03.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.